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C O N F I D E N T I A L SECTION 01 OF 03 TASHKENT 001501

SENSITIVE

SIPDIS

AMEMBASSY ASTANA PASS TO USOFFICE ALMATY  
AMEMBASSY HELSINKI PASS TO AMCONSUL ST PETERSBURG  
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SUBJECT: Uzbekistan: Hidirova Describes Her Imprisonment

REF: TASHKENT 1479; TASHKENT 1437

CLASSIFIED BY: Holly Lindquist Thomas, Pol/Econ Officer, Tashkent;  
REASON: 1.4(B), (D)

¶1. (SBU) Post reported earlier this summer on the arrest and release of Jizzakh farmer and human rights activist Oyazimhon Hidirova (aka Khidirova), who spent roughly five weeks in jail after being arrested on charges of hooliganism. (See reftels.) Hidirova and her public defender Ziyodullo Razzakov met with poloff on September 10 to discuss her imprisonment and current legal status. She gave the following account.

The Basis for the Complaint

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¶2. (SBU) Hidirova used to be the head of a collective farm in Jizzakh, an area about two hours southwest of Tashkent. As a result of land reforms implemented last fall and perhaps due to her advocacy for farmers, she lost her position. She is now responsible for a small plot of land that is a part of the collective farm, and she reports to the head of that collective farm, Alma Sadikov. Earlier this year, she spoke out against a district hokim, complaining that he was engaged in corruption and fraud, and was withholding social payments. She wrote a complaint letter to the regional hokim and to President Karimov about the problem. The district hokim was fired from his position in the spring.

¶3. (SBU) Concerned about the crops, Hidirova went to the head of the collective farm in June to tell Sadikov it was time to collect the grain. When she arrived, he was drunk, and a skirmish broke out between them. Hidirova broke her finger and filed a report the next day. He also filed a report and claimed to have been injured in the skirmish.

Initial Arrest and Confinement

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¶4. (C) On July 27 (a few weeks after the incident), three people came to Hidirova's house and asked her to come to the police station. She went the next morning, and was accused of beating up Sadikov, as well as of tax evasion, fraud, and presenting fraudulent documents. She refused to sign a confession that was presented to her, and she was taken to a pre-trial detention facility, where she was told she would be for three days. She was beaten in custody, but her request for medical attention was denied. She announced a three-day hunger strike, and on the third day she lost consciousness. She was told she received medical treatment, but she has no recollection of the four days that followed. When she awoke, she was in the same pretrial detention facility, and her leg was swollen as if from being beaten.

¶5. (C) At the detention center, she was made to sweep the floors, clean the toilets, and clean the dishes of the other inmates. The guards told her that their superiors had warned them that she was dangerous. She slept on a concrete floor, and from time to time the guards would close all the windows and fill the room with hot steam. She described the conditions as "worse than those for dogs."

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¶6. (C) After a few days, she was told she was being transported to a medical facility, but instead was taken to a prison. A guard there told her that his orders were to beat her if she showed any resistance. At one point, she was told she had a visitor and was taken to another room. A guard then struck her repeatedly, until a doctor came. After that she was kept in a cell with other women, who protested and shielded her from a guard who tried to take her away again.

¶7. (C) After six days, Hidirova was returned to the pre-trial detention cell, and from then on was transported back and forth periodically. An investigator presented her with a confession to sign, and told her that she would stay in prison until she agreed. The investigator told her they had 35 witnesses who would testify against her in court - she didn't recognize any of their names. Her attorney advised her to admit partial guilt, which she did.

¶8. (C) On August 28, the Uzbek parliament issued an amnesty decree. Hidirova's attorney filed an application with the court immediately, requesting her release. On August 30, a court hearing was held, and the investigator told her she needed to agree to recant her earlier claims on video tape, or face five to six years in prison. She refused to recant. On August 31, the court unexpectedly granted amnesty and released her. Hidirova returned home to find her cotton fields unattended and drying out.

Still Awaiting Conclusion

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¶9. (C) As of September 10, the criminal case against Hidirova was not yet concluded. The Court did not issue a written decision following her release, and had yet to determine whether she would have a criminal record, or whether it would impose a fine. Hidirova's human rights colleague and public defender (unlicensed attorney who assists during the case) stated that he believed the Court was waiting for some further commentary from the parliament on amnesty before it completed the case. He worries, however, that Hidirova will still be slapped with a significant fine (the

prosecutor suggested 7 million sum, or about \$5000), or that the Court will take her remaining land in lieu of damages. Hidirova may face continued harassment, as well, as the prosecutor warned her after her release to stay silent, threatening that he would go after her and her family again.

Comment

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¶10. (C) Hidirova's first-hand account of her experience was a riveting and sad commentary on what can happen when someone crosses the wrong local official or steps too far out of bounds in Uzbekistan. The fact that the court granted amnesty in this case suggests one of two things, however: a) the court acted independently, meaning that there was effective separation of power between the judicial and executive branches; or b) someone higher up in the executive branch, whether due to international pressure, ideals of justice, or some other reason, determined that this case

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should not go forward. Regardless of the reason, the release of a human rights activist was an uncommon and welcome step. Hidirova is relieved to have escaped further incarceration. It's not clear whether she will continue to speak out on farmers' issues.  
NORLAND